

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMERICAN EXPRESS PUBLISHING CORPORATION,)	
)	Civil Action No. 08 cv 3396 (WHP)
)	
Plaintiff,)	
v.)	
)	NOTICE OF MOTION FOR
CSMJ, INC.)	<u>DEFAULT JUDGMENT</u>
)	
Defendant.)	
)	

PLEASE TAKE NOTICE that upon the annexed affidavits of Louis Smith and Michael G. Guiseffi, sworn to on July 10, 2008, and upon the exhibits attached thereto, and the pleadings herein, Plaintiff American Express Publishing Corporation ("American Express") moves before the Honorable William H. Pauley, III for a default judgment pursuant to Federal Rule of Civil Procedure 55(b)(2), Local Civil Rule 55.2(b), and the Individual Practices of Judge Pauley, against Defendant CSMJ, Inc. consistent with the accompanying proposed form of Default Judgment.

Dated: July 10, 2008



LOUIS SMITH
GREENBERG TRAURIG, LLP
Louis Smith (LS 8851)
MetLife Building
200 Park Avenue
New York, New York 10166
(212) 801-9200
(212) 801-6400 (fax)
Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

AMERICAN EXPRESS PUBLISHING CORPORATION,)	
)	Civil Action No. 08 cv 3396 (WHP)
)	
Plaintiff,)	
v.)	
)	<u>DEFAULT JUDGMENT</u>
CSMJ, INC.)	
)	
Defendant.)	
)	

This action having commenced on April 7, 2008, by the filing of the Summons and Complaint by plaintiff American Express Publishing Corporation; and a copy of the Summons and Complaint having been personally served on the defendant CSMJ, Inc., on April 9, 2008, by personal service on Brian Farrow, who is authorized to accept service for defendant; and a proof of service having been filed on April 17, 2008; and the defendant not having answered the Complaint, and the time for answering the Complaint having expired; and the Clerk having entered defendant's default pursuant to Federal Rule of Civil Procedure 55(a) on May 5, 2008;

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that plaintiff American Express Publishing Corporation's motion for default judgment be, and hereby is, granted in its entirety; and it is further

ORDERED, ADJUDGED AND DECREED that judgment in favor of plaintiff American Express Publishing Corporation and against defendant CSMJ, Inc. be, and hereby is, in the liquidated principal amount of \$255,000.00, with pre-judgment interest at 9% running from January 5, 2007, with regard to \$249,000.00 of that principal and running from July 16, 2007, with regard to \$6,000.00 of that principal, amounting to total

pre-judgment interest of \$34,540.00, and that plaintiff further be awarded costs and disbursements totaling \$617.00; and it is further

ORDERED, ADJUDGED AND DECREED that judgment be, and hereby is, entered in favor of plaintiff American Express Publishing Corporation and against defendant CSMJ, Inc. in the total amount of \$290,157.00; and it is further

ORDERED, ADJUDGED AND DECREED that post-judgment interest shall begin to run from the date of entry of this judgment.

Dated: New York, New York
July _____, 2008

WILLIAM H. PAULEY, III, U.S.D.J.

Christy Schaeffer
Notary Public
CHRISTY SCHAEFFER
Notary Public, State of New York
No. 31-4769958
Qualified in New York County
Commission Expires August 31,

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

AMERICAN EXPRESS PUBLISHING CORPORATION,)	
)	Civil Action No. 08 cv 3396 (WHP)
)	
Plaintiff,)	
v.)	
)	
CSMJ, INC.)	CLERK'S CERTIFICATE OF
)	DEFAULT OF CSMJ, INC.
)	
Defendant.)	
)	

I, J. Michael McMahon, Clerk of Court of the United States District Court for the Southern District of New York, do hereby certify that this action was commenced on April 7, 2008 with the filing of a summons and complaint; a copy of the summons and complaint were served on CSMJ, Inc. on April 9, 2008, by personally delivering those documents to Brian Farrow, who is authorized to accept service for CSMJ, Inc.; and that plaintiff filed a proof of service on April 17, 2008.

I further certify that the docket entries indicate that the defendant has not filed an answer or otherwise moved with respect to the complaint herein. The default of defendant CSMJ, Inc. is hereby noted pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

Dated: New York, New York
May 5, 2008

J. MICHAEL MCMAHON
Clerk of Court

By: _____
Deputy Clerk